

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

PRELIMINARY ORDER OF
FORFEITURE/MONEY JUDGMENT

-V. -

NICHOLAS ALVAREZ,
a/k/a "Babyface,"
a/k/a "Carlos Gomez,"
a/k/a "Carlos Garcia,"
a/k/a "Luis Torres,"

Defendant.

S3 11 Cr. 169 (VB)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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WHEREAS, on or about September 6, 2012, NICHOLAS ALVAREZ, (the “defendant”), was charged in a twelve-count Superseding Indictment, S3 11 Cr. 169 (VB) (the “Indictment”), with transporting an individual in interstate and foreign commerce, with intent that such individual engage in prostitution, in violation of Title 18, United States Code, Section 2421 (Count One); persuading, inducing, enticing, and coercing an individual to travel in interstate and foreign commerce, to engage in prostitution, in violation of Title 18, United States Code, Section 2422(a) (Counts Two through Five); sex trafficking of individuals by force, fraud, or coercion, in violation of Title 18, United States Code, Sections 1591(a) and (b) (1) (Counts Six through Nine); attempted sex trafficking of a minor, in violation of Title 18, United States Code, Sections 1594(a), and 1591(a), (b)(1), and (b)(2) (Count Ten); kidnapping, in violation of Title 18, United States Code, Section 1201(a) (1) (Count Eleven); and failure to register and update a registration as required by the Sex Offender Registration and Notification Act, in violation of Title 18, United States Code, Section 2250 (Count Twelve);

WHEREAS, the Indictment included a forfeiture allegation as to Counts Six through Ten, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 1594, (1) any property, real and personal, used or intended to be used to commit or to

facilitate the commission of the offense; and (2) any property, real and personal, constituting or derived from, any proceeds obtained, directly or indirectly, as a result of the offenses;

WHEREAS, on or about December 3, 2012, the defendant was found guilty following to a jury trial, as to Counts One through Three, and Counts Six and Seven;

WHEREAS, on October 11, 2013, the defendant was sentenced and ordered to forfeit \$7,000.00 in United States currency, representing the amount of proceeds obtained as a result of the offenses alleged in Counts Six and Seven of the Indictment;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses alleged in Counts Six and Seven of the Indictment to which the defendant was found guilty after jury trial, a money judgment in the amount of \$7,000.00 in United States currency (the "Money Judgment") shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, upon entry of this Preliminary Order of Forfeiture/Money Judgment, this Preliminary Order of Forfeiture/Money Judgment is final as to the defendant, NICHOLAS ALVAREZ, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. Upon execution of this Preliminary Order of Forfeiture/Money Judgment, and pursuant to Title 21, United States Code, Section 853, the United States Marshals Service shall be authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

4. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New

York, Attn: Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

5. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Preliminary Order of Forfeiture/Money Judgment, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

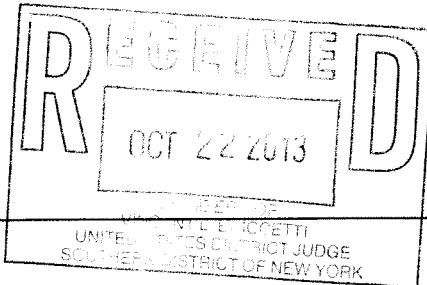
6. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Sharon Cohen Levin, Chief of the Asset Forfeiture Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

Dated: New York, New York
October 222013

SO ORDERED:

HONORABLE VINCENT L. BRICCETTI
UNITED STATES DISTRICT JUDGE



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*United States Courthouse
300 Quarropas Street
White Plains, New York 10601*

October 22, 2013

The Honorable Vincent L. Briccetti
United States District Court
Southern District of New York
300 Quarropas St.
White Plains, New York 10601

Re: ***United States v. Nicholas Alvarez***
S3 11 Cr. 169 (VB)

Dear Judge Briccetti:

Enclosed is a preliminary order of forfeiture in the above-captioned case. Please be advised that defense counsel requested certain revisions to the order, which the Government made.

Respectfully submitted,

PREET BHARARA
United States Attorney

By: Kathryn M. Martin
Kathryn M. Martin
Assistant United States Attorney
Southern District of New York
(914) 993-1963

cc: Edward O'Callaghan, Esq.